

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JANET R. RUFTY, )  
                        )  
                        )  
Plaintiff,         )                           **ORDER**  
                        )  
v.                     )                            1:11CV12  
                        )  
WALLACE AND GRAHAM, P.A., )  
                        )  
                        )  
Defendant.         )

On June 7, 2011, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed, notice was served on Plaintiff, and a copy was given to the court.

Within the time limitation set forth in the statute, Defendant objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that Plaintiff's state law retaliation claim is **DISMISSED**, as the motion is unopposed as to that claim, and that Defendant's

motion to dismiss Plaintiff's Title VII retaliation claim is **DENIED**. Therefore, the motion to dismiss [docket no. 3] is **DENIED** in part and **GRANTED** in part.

This the 23<sup>rd</sup> day of February, 2012.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge